

The Supreme Court of Ohio

CASE ANNOUNCEMENTS AND ADMINISTRATIVE ACTIONS

January 16, 2007

[Cite as *01/16/2006 Case Announcements*, 2007-Ohio-107.]

MOTION AND PROCEDURAL RULINGS

2006-1366. State v. Short.

Montgomery C.P. No. 2004CR02635. This cause is pending before the court as a death penalty appeal from the Court of Common Pleas of Montgomery County. Upon consideration of appellant's motion for stay of execution pending appeal,

It is ordered by the court that the motion is granted.

2006-1581. State v. Thacker.

Franklin App. No. 05AP-834, 2006-Ohio-3449. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of attorney G. Gary Tyack's motion to withdraw as counsel for appellant,

It is ordered by the court that the motion is granted.

It is further ordered that the court of appeals shall appoint counsel for appellant pursuant to S.Ct.Prac.R III(7). A copy of this entry shall be sent to the court of appeals by the Clerk of this court, and appointed counsel shall file a copy of the court of appeals' entry of appointment with the Clerk of this court.

2006-1687. State v. Silverman.

Franklin App. Nos. 05AP-837, 05AP-838, and 05AP-839, 2006-Ohio-3826. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of attorney G. Gary Tyack's motion to withdraw as counsel for appellant,

It is ordered by the court that the motion is granted.

It is further ordered that the court of appeals shall appoint counsel for appellant pursuant to S.Ct.Prac.R III(7). A copy of this entry shall be sent to the

court of appeals by the Clerk of this court, and appointed counsel shall file a copy of the court of appeals' entry of appointment with the Clerk of this court.

2007-0008. State v. Kerr.

Wood App. No. WD-05-080, 2006-Ohio-6058. This cause is pending before the court as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's motion to exceed the page limitation on the memorandum in support of jurisdiction,

It is ordered by the court that the motion is granted.

2007-0031. State ex rel. James v. Coyne.

Cuyahoga App. No. 88917, 2006-Ohio-6932. This cause was filed as a discretionary appeal and claimed appeal of right. Upon consideration of appellant's jurisdictional memorandum, it is determined by the court that this cause originated in the court of appeals and, therefore, should proceed as an appeal of right pursuant to S.Ct.Prac.R. II(1)(A)(1).

It is ordered by the court that the Clerk shall issue an order for the transmission of the record from the Court of Appeals for Cuyahoga County, and the parties shall brief this case in accordance with S.Ct.Prac.R. VI.

MISCELLANEOUS DISMISSALS

2006-1361. State ex rel. Lowe v. Indus. Comm.

Franklin App. No. 05AP-900, 2006-Ohio-2964. This cause is pending before the court as an appeal from the Court of Appeals for Franklin County. Upon consideration of appellant's application for dismissal,

It is ordered by the court that the application for dismissal is granted. Accordingly, this cause is dismissed.

2006-1615. State ex rel. Keith v. Spaeth.

In Mandamus. This cause originated in this court on the filing of a complaint for a writ of mandamus. It appears from the records of this court that relator has not filed a merit brief, due January 8, 2007, in compliance with the Rules of Practice of the Supreme Court and therefore has failed to prosecute this cause with the requisite diligence. Upon consideration thereof,

It is ordered by the court that this cause is dismissed sua sponte.

MISCELLANEOUS ORDERS

1998-2558. Cincinnati Bar Assn. v. Telford.

Board on the Unauthorized Practice of Law, No. UPL 97-4. This matter came on for further consideration upon the filing of a motion for citation in contempt and request for further orders pursuant to Gov.Bar R. VII by relator on December 15, 2006. Respondent filed a memorandum in opposition to the motion on December 22, 2006. On consideration thereof,

It is ordered by the court that this matter be set for a hearing before the Board on the Unauthorized Practice of Law. The matter shall be heard by the entire board and the board shall make determinations regarding the factual issues raised in relator's motion and respondent's opposition. Following the hearing, the board shall file a report with this court containing its factual findings and a recommendation.

It is further ordered, sua sponte, that proceedings before the court in this case are stayed until further order of the court.

2006-1406. In re Application of Yazdian.

Board of Commissioners on Character and Fitness, No. 298. This cause is before the court upon the applicant's request for waiver of the application fee for the February 2007 bar examination. Upon consideration thereof,

The request is granted. It is ordered by the court that the fee required by Gov.Bar R. I(7)(B)(3) for respondent's application for re-examination at the February 2007 bar examination is waived.